

APPENDIX A – SUMMARY OF GROUNDS FOR DISMISSAL OF PLAINTIFFS’ STATE LAW CLAIMS**ANTITRUST CLAIMS**

State	No Conspiracy	No Antitrust Standing	Fails With Sherman Act Claim	No Named Plaintiff With Standing	Indirect Purchaser Class Actions Barred	No In-State Conduct Alleged	Failure to Comply With Notice Provision
AL	X	X	X			X	
AZ	X	X	X				X
CA	X	X	X				
CO	X	X	X		X ¹		X
CT	X	X	X				X
DC	X	X	X				
HI	X	X	X				X
IL	X	X	X		X		
IA	X	X	X				
KS	X	X	X				
MD	X	X	X				
ME	X	X	X				
MI	X	X	X				
MN	X	X	X				
MS	X	X	X			X	
NC	X	X	X				
ND	X	X	X				
NE	X	X	X				
NH	X	X	X				
NJ	X	X	X		X ²		
NM	X	X	X				

¹ Plaintiffs’ claims that predate the adoption of the Colorado indirect purchaser amendment are barred.

² Plaintiffs’ claims that predate the adoption of the New Jersey indirect purchaser amendment are barred.

State	No Conspiracy	No Antitrust Standing	Fails With Sherman Act Claim	No Named Plaintiff With Standing	Indirect Purchaser Class Actions Barred	No In-State Conduct Alleged	Failure to Comply With Notice Provision
NV	X	X	X				X
NY	X	X	X				X
OR	X	X	X				
RI	X	X	X				X
SD	X	X	X				
TN	X	X	X				
UT	X	X	X				X
VT	X	X	X				
WI	X	X	X				
WV	X	X	X	X		X	

CONSUMER PROTECTION CLAIMS

State	No Conspiracy	Bar on Non- Consumer Suits	Indirect Purchaser Class Actions Barred	Indirect Purchaser Actions Barred	Price Fixing Not Cognizable Claim	In-State Conduct Required	Failure to Meet 9(b) Standard	Failure to Allege Reliance	Failure to Allege Elderly or Disabled
AR	X			X	X			X	
AZ	X								
CA	X								
CO	X								
DC	X	X			X				
FL	X						X		
IL	X		X		X	X			
MA	X	X ³							
MD	X	X			X			X	
MI	X				X		X		
MN	X	X							
MO	X	X		X					
MT	X	X	X						
NE	X								
NH	X					X			
NM	X				X				
NV	X	X							X
OR	X	X			X				
PA	X				X		X	X	
RI	X				X				
SC	X		X	X	X				
SD	X				X				

³ Massachusetts prohibits businesses from bringing indirect purchaser actions.